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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/721,342

Applicant(s)

SANO, TETSUYA

Examiner

Vincent Rudolph

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 26 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/5508)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-10 and 14-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Shima (Pub # 20020036665).

Regarding claim 1, Shima (Pub # 20020036665) discloses an imposition apparatus (printer host, **See Figure 1, Element 10**), which includes a paper image creating section (user interface, **See Figure 1, Element 58**) that creates a paper image (document that is to be outputted as an image on paper, **See Page 4, Paragraph 0052**) in a manner that an imposition for at least one page frame is applied onto a paper (print data is created, which includes a request for marginless printing to be applied when outputting the data, **See Page 4, Paragraph 0048**), and a page including a character is disposed in the page frame on a layout in which an imaginary page frame including the page frame is setup so that a whole of the paper, in which the page is disposed, is provided in the form of an image (whenever marginless printing is specified, a user sets the minimum printing region for the outputting page, **See Page 5, Paragraph 0059**, such that an image is formed and represents the drawing data, **See Page 1, Paragraph**

0009), an output processing section (printer driver, **See Figure 1, Element 55**) that causes an image output machine (printer, **See Figure 1, Element 30**) for outputting an image on the paper by applying the paper image created in the paper image creating section (once the printing instruction is accepted, the printer outputs the image data, **See Page 5-6, Paragraph 0061**), and a processing interruption section (embodied within the printer host, **See Figure 1, Element 10**) that interrupts a series of processing of creating the paper image as well as outputting it whenever the page disposed on the layout juts out of the imaginary page frame (the image is not created when either the paper size data or marginless printing mode is not accepted, **See Figure 6, Step S2 and S3**, based on the information specified by the user for the document, **See Page 4, Paragraph 0052**).

Regarding claim 2, Shima (Pub # 20020036665) discloses that the imaginary page frame includes a predetermined width of margin surrounding a periphery of the page frame (**See Figure 9**).

Regarding claim 3, Shima (Pub # 20020036665) discloses an imposition apparatus (printer host, **See Figure 1, Element 10**) in which a page that includes a character is disposed in the page frame on a layout in which an imposition for at least one page frame is applied onto a paper (whenever marginless printing is specified, a user sets the minimum printing region for the outputting page, **See Page 5, Paragraph 0059**), which includes a page size adjusting section (embodied within the printer host, **See Figure 1, Element 10**) that performs a size adjustment to coincide the page disposed on the layout with an imaginary page frame that is larger than the one in the

layout (user is able to change the width for the image onto a page frame, **See Figure 9; Page 5, Paragraph 0055**), and a paper image creating section (user interface, **See Figure 1, Element 58**) that creates a paper image (document that is to be outputted as an image on paper, **See Page 4, Paragraph 0052**) in such a manner that the page adjusted in size is disposed in the page frame on the layout so that the whole of the paper, in which the page is disposed, is provided in the form of an image (the adjusted sizes from the image are checked to make sure they agree with the printer recommended widths, **See Page 5, Paragraph 0056-0057B**, such that an image is formed and represents the drawing data, **See Page 1, Paragraph 0009**).

Regarding claims 4-6, the rationale provided in the rejection of claims 1-3 is incorporated herein. In addition, the apparatus of claim 2 corresponds to the apparatus of claim 4 as well as the apparatus of claims 1 and 3 corresponds to the program (stored in RAM, **See Figure 1, Element 22**) of claim 5 and the apparatus of claim 6 and performs the steps disclosed herein.

Regarding claim 7, Shima (Pub # 20020036665) discloses that the page is within boundary of the imaginary page frame (**See Figure 9**).

Regarding claim 8, Shima (Pub # 20020036665) discloses that the page size is adjusted to be within the boundary of the imaginary page frame (minimum printing region, **See Figure 9**).

Regarding claim 9, Shima (Pub # 20020036665) discloses that the page is outside boundary of the page frame (the document is created to be within the region of the printing paper size, **See Page 4, Paragraph 0052**).

Regarding claim 10, Shima (Pub # 20020036665) discloses that the page size is adjusted to be outside the boundary of the page frame (the adjusted non-printing amount region, **See Figure 10; Page 5, Paragraph 0060**).

Regarding claim 14, Shima (Pub # 20020036665) discloses a user manually sets the size of the imaginary page frame and the size of the paper (user selects the size of the imaginary page frame initially by setting the expanding amount for the sides, **See Page 5, Paragraph 0055**, as well as the printing paper size, **See Figure 8**).

Regarding claim 15, Shima (Pub # 20020036665) discloses that due to an interruption by the process interruption section, no image is printed (no image is created to be outputted when either the actual paper size or marginless printing mode is not accepted, **See Figure 6**).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shima (Pub # 20020036665) in view of Akabane (Pub # 20020051139).

Regarding claim 11, Shima (Pub # 20020036665) does not disclose that the paper image creating section sets a register mark, such that it is a mark whenever the paper is cut on the layout in which a page is disposed.

Akabane (Pub # 20020051139) discloses a procedure for a document with register marks in order to trim the printed sheet (**See Figure 8; Page 2, Paragraph 0024**).

It would have been obvious to one of ordinary skill in the art at the time of the invention by the applicant to include a register mark, such as the one disclosed within Akabane (Pub # 20020051139), and incorporate it into the apparatus of Shima (Pub # 20020036665) because it allows the sheet to be outputted at the intended size (**See Akabane (Pub # 20020051139), Page 2, Paragraph 0024**).

Regarding claim 11, the combination of Shima (Pub # 20020036665) and Akabane (Pub # 20020051139) discloses the paper image creating section creates a paper image which includes a plurality of register marks (**See Akabane (Pub # 20020051139), Page 2, Paragraph 0024**).

Regarding claim 12, the combination of Shima (Pub # 20020036665) and Akabane (Pub # 20020051139) discloses the image portion that juts out of the area encircled by the register mark is cut (the area surrounding the image is cut as set up by the register marks, **See Akabane (Pub # 20020051139), Figure 8**).

Response to Arguments

The applicant argues that the prior art does not disclose that the image creating section creates a paper image...so that a whole of the paper, in which the page is disposed, is provided in the form of an image. Shima discloses that the image creating section, such as the user interface (**See Figure 1, Element 58**), creates a paper image, such as a document that is to be outputted as an image on paper (**See Page 4**,

Paragraph 0052), so that a whole of the paper, in which the page is disposed, is provided in the form of an image, such as by specifying marginless printing, it allows the user to set the minimum printing region in which the page is to be outputted (**See Page 5, Paragraph 0059**) and is provided in the form of an image that represents the drawing data, **See Page 1, Paragraph 0009**). Thus, the prior art of Shima does meet the limitations of the claims as disclosed within the rejection above.

The applicant also argues the prior art does not disclose outputting of an image on the paper by applying the paper image created in the paper image creating section. Shima discloses that once the printing instruction is accepted for the created document (**See Page 4, Paragraph 0052**), the printer outputs the converted image data (**See Page 5-6, Paragraph 0061**). Thus, the prior art of Shima does meet the limitations of the claims as disclosed within the rejection above.

The applicant further argues that the prior art does not disclose interrupting a series of processing of creating the paper image. Shima discloses that the process of creating a paper image is interrupted when either the paper size data or marginless printing mode is not accepted (**See Figure 6, Step S2 and S3**). Thus, the paper image is interrupted from being processed whenever the criteria related to it is not met. Therefore, the prior art of Shima does meet the limitations of the claims as disclosed within the rejection above.

The applicant next argues the prior art does not disclose that the page disposed on the layout juts out of the imaginary page frame. Shima discloses that the user is able to select custom paper size for the document (**See Page 4, Paragraph 0052**),

which allows a user to expand the region initially set for the selected paper size, thus jutting out of the initial area (**See Page 5, Paragraph 0055**). As a result, the prior art of Shima does meet the limitation of the claims as disclosed within the rejection above.

The rest of the arguments made by the applicant are fully addressed within the rejection disclosed above.

Based on these facts, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vincent Rudolph whose telephone number is (571) 272-8243. The examiner can normally be reached on Monday through Friday 8 A.M. - 4:30 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571) 272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Vincent Rudolph
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